

UNCLASSIFIED

DEPARTMENT OF STATE

Washington, D.C. 20520

R RCJ  
Did Perbanan  
get a reply?

AH009

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release ( ) Excise ( ) Deny

Exemption(s):

Declassify: ( ) In Part (X) In Full

( ) Classify as ( ) Extend as ( ) Downgrade to

Date Declassify on Reason

12/22/81

December 22, 1981

TO: HA - Theresa Tull  
FROM: HA - Ray Jorgenson  
SUBJECT: Argentina's "Right of Option" Program  
REF: Your Memo of December 21, 1981

I talked to Perman by  
telephone twice - 21 & 22 Dec  
that the problem was not  
the result of INS- State  
relations but rather  
Argentina's unwillingness  
to grant any  
right of  
options.

There are two distinct problems related to the "Right of Option" Program. The first results from provisions of the Refugee Act of 1980 which require an interview by an INS officer prior to issuance of the "certificate of eligibility" which in turn allows the Embassy to issue a visa. In practice, ICEM and the United Nations High Commissioner for Refugees identify and give to the Embassy the names of prisoners who indicate an interest in coming to the United States and who appear to be eligible under our immigration laws. The Embassy then submits a request to the Foreign Minister for permission for the INS officer to interview the prisoners during his periodic visits to Buenos Aires, about once every six months. Of some 100 requests made in anticipation of this month's INS visit, the GOA approved only about 20. (We have not yet received a report on the results of the visit.) In at least one case, that of a prisoner in Rosario, the GOA granted approval, but only if the officer travelled to Rosario, a trip which apparently INS considered cost prohibitive.

Of 24 persons  
interviewed  
and approved  
by INS in  
December -  
none have  
been  
permitted  
to leave

Apart from these logistic and U.S. legislative strictures, the main problem is that there is strong opposition within the military to the release abroad of prisoners who would then be free to publicize their experiences and engage in criticism of the repression. Consequently, while a fairly significant number of prisoners have been released this year under "supervised liberty" or a form of parole, there have been relatively few who have received "right of option". I anticipate another Christmas amnesty within the next several days, and hopefully some prisoners will be allowed to come to the U.S. However, this would require a major shift in GOA policy.

I have asked Aileen Robinson in RP to provide language for a reply to Perman.

cc: RP - Ms. Robinson

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